



EVERGREEN FREEDOM FOUNDATION

...because freedom matters!

June 13, 2008

RECEIVED
JUN 13 2008

Office of Secretary of State

Nick Handy
Director of Elections, Office of the Secretary of State
PO Box 40229
Olympia, WA 98504-0229

Re: Help America Vote Act Administrative Complaint

Dear Director Handy:

Please find enclosed an administrative complaint filed pursuant to WAC 434-263 regarding a violation of the Help America Vote Act by the Office of the Secretary of State. The complainant is Mr. Robert Edelman, a registered voter from Black Diamond, Washington.

Mr. Edelman is a senior research analyst for the Evergreen Freedom Foundation, and as legal counsel for the Foundation I will be representing him in this complaint. Please direct all correspondence related to this matter to my attention.

I look forward to your prompt response.

Sincerely,

Jonathan Bechtel, J.D.

Enclosures:

One CD containing Exhibit 1
Paper copies of Exhibits 2-7

COMPLAINT

Complainant, Robert Edelman, alleges:

1. The state of Washington will be in violation of Section 303 of the Help America Vote Act for the primary and general election of 2008, held on August 19 and November 4 respectively, because (1) it has allowed county election officials to add ineligible underage voters to the official state Voter Registration Database as active voters, (2) it has allowed county election officials to delay entry of registration information into the state Voter Registration Data Base and (3) it has failed to include a required statement on its official mail-in voter registration form. This administrative complaint is filed under the provisions of Washington Administrative Code Section 434-263.

I. PARTIES

2. Complainant, Robert Edelman, is a registered voter in the state of Washington with a mailing address of 29871 232nd Ave SE, Black Diamond, WA 98010.

3. Respondent, Sam Reed, is the Washington Secretary of State.

II. THE WASHINGTON SECRETARY OF STATE IS ALLOWING COUNTIES TO REGISTER UNDERAGE PERSONS, RESULTING IN UNDERAGE VOTING.

4. On October 29, 2002, President Bush signed the Help America Vote Act into law. 42. U.S.C. 15301-15545. Title III, Section 303 of HAVA specifies the minimum requirements for

the State's computerized statewide voter registration list. "The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State." 42 U.S.C. 15483(a)(1)(A)(i). "The computerized list contains the name and registration information of every legally registered voter in the State. 42 U.S.C. 15483(a)(1)(A)(ii). The State election system shall include provisions to ensure that voter registration records in the State are accurate and are updated regularly including ... [a] system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters." 42 U.S.C. 15483(a)(4). Washington state is not in compliance with these sections because it has, and continues to, allow county auditors to enter underage voters in the State Voter Registration Data Base as active voters.

5. An underage registration occurs when an application is accepted from a person who will not attain the age of eighteen before the next election. I analyzed the March 2008 version of the VRDB to determine if underage persons have been unlawfully registered to vote. I found 16,085 underage registrations dated from January 2000 through March 2008 (Exhibit 1).¹ These results are understated because election officials change registration dates to later dates for many voters without preserving the original date of registration.² The results are also subject to data entry and upload errors in the VRDB. It is highly unlikely, however, that all 16,085 entries can be explained by database errors.

¹ To determine underage registrations, the VRDB was queried for persons who registered before the age of eighteen. The next election following registration was then determined for each of these persons. Underage registrations were extracted from this query if the next election was prior to the person's eighteenth birthday. Persons were excluded if the next election after registration was not post 1999.

² The Office of Secretary of State does not provide documented requirements for what information counties are required to upload into the registration date field. Typically the county auditors upload the date that a registration is originated or transferred to their county although some appear to change the date when registrations are revised within the county. (See Exhibit 2.) Attempts were made to use previous revisions of the VRDB to capture earlier dates but public VRDB releases are available only as far back as January 2006.

6. Having these ineligible voters in the VRDB results in the very danger HAVA was attempting to protect against: unlawful votes. In my analysis of the voting history records in the March 2008 version of the VRDB I found 127 votes cast by 108 probable underage individuals from January 2000 through February 2008. (Exhibit 3) These numbers may be understated as votes by people who registered or voted before age sixteen were rejected as probable database errors, and voting history for Pend Oreille County voters was excluded because of upload errors.³

7. According to emails from staff, the Secretary of State knows that counties are accepting registration applications from underage voters, but is doing nothing to prevent it. The following explanation of registration practices was received from the Office of the Secretary of State in an email dated December 18, 2007 (Exhibit 4):

Even under today's practices with the statewide database, you will continue to see a number of 'underage' registrations. That is because counties enter the date they received the application as the registration date. In other words, whether the county has either held up the registration form or pended the registration record until the voter is eligible, the registration date is still the date that the county received the application.

The following was received from the Office of the Secretary of State in a follow-up email dated December 20, 2007 (Exhibit 5):

Regardless of procedures, mistakes are made. Our ability to safeguard against 'underage' registration mistakes has been significantly improved with the statewide system:

³ To determine underage voting, the VRDB was queried for voters who had a post 1999 eighteenth birthday and the voting history of these voters. Underage voting was then extracted wherever a vote was cast prior to the eighteenth birthday. Pend Oreille County was excluded because of apparent data upload errors from the county. (See Exhibit 4, ¶ 2.) Individuals were excluded if the first vote was cast before the individual was sixteen to reduce the number of false positives from data entry errors.

- All the counties have upgraded to the more fully featured systems that only a handful of counties had previously.
- With the upgraded systems counties now are warned of underage registrations and can pend them until the voter is eligible.
- With the new statewide database, our office is now able to track and warn counties about underage registrations.

This email demonstrates that the Secretary of State is aware of the existence of underage registration entries in the VRDB, apparently has the capability to find them, but is not acting to find them or prohibit the counties from entering them in the first place. My analysis of the March 2008 version of the VRDB reveals that underage registrations are continuing to be added. The Secretary cannot comply with HAVA by feigning ignorance of the counties' practice of entering underage registrations.

III. HAVA PROHIBITS STATES FROM DELAYING ENTRY OF REGISTRATIONS, BUT THE SECRETARY OF STATE IS ALLOWING COUNTY AUDITORS TO DELAY APPLICATIONS FROM UNDERAGE VOTERS.

8. Delayed entry of registration information into the VRDB is prohibited by HAVA. "All voter registration information obtained by any local election official in the State must be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official." 42 U.S.C. 15483(a)(1)(A)(vi). This requirement is mirrored in Rev. Code of Washington 29A.08.651(7).

9. Despite this clear mandate in HAVA, the Secretary of State knows that counties are delaying entry of registration information into the VRDB but tolerates the practice. In the same December 18 email the Secretary's staff said, "The standard practice and procedures of the counties in regards to "underage" voter registrations has varied from county to county - often according to the capabilities of the VR system the county used. *Most counties simply put "underage" registrations into a drawer and didn't enter them until the voter was eligible.*" (emphasis added). The email indicates that this practice has been stopped, but at an election law CLE class I attended in Seattle on April 18, 2008, Nick Handy, State Director of Elections, referred to delayed entry as the "informal practice" still used to prevent underage voting.

IV. WASHINGTON'S MAIL-IN VOTER REGISTRATION FORM IS MISSING A STATEMENT REQUIRED BY HAVA WHICH MAY HELP TO PRECLUDE INELIGIBLE REGISTRATION.

10. Federal law allows states to "develop and use a mail voter registration form that meets all of the criteria stated in section 9(b) [42 USCS § 1973gg-7(b)] for the registration of voters in elections for Federal office." 42 USC 1973gg-4(a)(2). But HAVA mandates the contents of the form, listing several items that must be included.

The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 (*42 U.S.C. 1973gg-4*) shall include the following:

- (i) The question "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.

- (ii) The question "Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day.
- (iii) *The statement "If you checked 'no' in response to either of these questions, do not complete this form."*
- (iv) A statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, the appropriate information required under this section must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time."

42 U.S.C. 15483(b)(4)(A). (emphasis added)

11. Washington's voter registration form does not comply with these HAVA requirements. In 2002, the Secretary of State submitted a required state plan for implementation of HAVA to the Election Assistance Commission. Appendix E of the plan contained the proposed mail-in registration form that included the required statements listed above. (Exhibit 6) The form adopted and currently in use by the Secretary of State, however, does not include required statement (iii) above. (Exhibit 7) Not having this statement makes it less clear to someone quickly scanning the page, as applicants are likely to do, that being underage (or not a citizen) bars submission of the form. The failure to include this statement, therefore, may have contributed to the problem of underage registration.

V. REMEDY REQUESTED

Wherefore, in order to ensure compliance with HAVA, Complainant requests that the Washington Secretary of State be required to take the following actions before the 2008 primary:

12. Establish a written procedure requiring staff to examine all mail-in registration forms received by the Secretary of State's office and reject those where the applicant will not reach the age of eighteen by the next election.

13. Advise county auditors in writing that it is illegal to register an applicant who will not reach the age of eighteen by the next election, it is illegal to delay entry of registration data for eligible applicants, and that applications from ineligible registrants should be rejected. If new administrative rules are needed to accomplish this, issue them on an emergency basis.

14. Add automatic controls to the VRDB so that no underage registration can be given active status.

15. Add the statement required in 42 U.S.C. 15483(b)(4)(A)(iii) to the state mail-in registration forms, and destroy existing non-compliant forms.

16. Take any other action that shall be deemed necessary to bring the state of Washington into compliance with HAVA Section 303.

I, Robert Edelman, declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

SIGNED at Black Diamond, Washington, this 6th day of June, 2008.

Robert Edelman

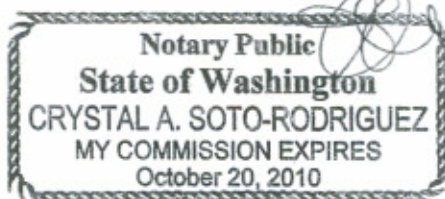
ROBERT EDELMAN
29871 232nd Ave SE
Black Diamond, WA 98010
State of Washington

County of King

I certify that I know or have satisfactory evidence that Robert Edelman is the person who appeared before me, and said person acknowledged that (he) signed this instrument and acknowledged it to be (his) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated June 6, 2008

(Seal or stamp)



Crystal A. Soto-Rodriguez
(Signature)

Notary Public
(Title)

My appointment
expires 10/20/2010

From: Miller, Paul [mailto:PMiller@secstate.wa.gov]
Sent: Wednesday, January 30, 2008 6:17 PM
To: Bob Edelman
Subject: RE: Meaning of "RegistrationDate"

Bob,

Your restatement of the registration date definition is an accurate understanding of my response. And yes, in an ideal world the registration dates for the same voter would always move forward as the voter moves about the counties in the state.

One major reason you are seeing several registration dates move backwards may be due to the cleanup work our Voter Services group is doing. They flag voters who appear to have been too young when they registered. In those cases, either the birthdate or the registration date is wrong and the counties are fixing these problems.

Correcting data entry errors of this type surely contribute to your findings.

A gray area where I am not sure counties always do what we expect them to do is when they deal with a voter who registers in a county, moves out of the county, record gets cancelled, then moves back into the county and re-registers there. This could involve a transfer from one county to another in addition.

The current expectation is the county uses the date the voter's cancelled record is reactivated as the registration date but under certain circumstances some counties might be using the original registration date instead. Under these circumstances, and if a county transfer is involved as well, the registration date in the "new" county would be older than the registration date in the immediately previous county.

Finally, you'll find that about 6,500 of your 21K records belong to Yakima County. We just discovered Yakima uses the registration date field differently than other counties.

This issue stems from the fact that the DIMS county voter registration system has two fields related to the registration date: a registration date field, and an original registration date field. Our understanding of the intended use of the two fields was to provide the ability to record both the date the registration record was first created in the county (original registration date) and the date the record was (re)activated (registration date). If the record had never been cancelled and reactivated, both dates will be the same.

Instead, Yakima uses the registration date field to record dates of address and name changes as well and they never reactivate a cancelled record. In their specific case, the state's list would be more accurate if their system sent us the original registration date instead of the registration date.

We have begun working with Yakima to resolve this issue.

- Paul

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Sunday, January 27, 2008 4:01 PM
To: Miller, Paul
Subject: RE: Meaning of "RegistrationDate"

Paul,

The attached files may help further explain the difficulty in understanding the meaning of the "RegistrationDate" field in the VRDB.

Please correct me if I misunderstand your response. I believe that the provided definition for this entry is the date that an application for registration is submitted to a county auditor or the date that a transfer of registration from one county to another is submitted to the county auditor. That would mean that the registration date entry would change to a later date every time that a person transferred his registration to a new county, even if it is a county where the person was registered some time in the past.

I compared registration dates in the Nov 2006 release of the VRDB with dates in the Nov 2007 release.

- File 1 identifies 243 persons who transferred their registration from county A to county B but the registration date in the Nov 2007 VRDB precedes the registration date in the Nov 2006 release.
- File 2 identifies 21,161 state voter IDs of persons who were registered in the same county in the Nov 2006 release and the Nov 2007 release but have different registration dates. (Conceivably they might have moved to different counties and then moved back and were given a new registration date on each transfer.)
- File 3 identifies 882 persons from File 2 where, again, the registration date in the Nov 2007 VRDB precedes the registration date in the Nov 2006 release.
- File 4 identifies 180 persons from File 2 who were assigned different county identifications. Seventeen have an earlier registration date in the Nov 2007 release than in the Nov 2006 release.

I would appreciate your reviewing these inconsistencies.

Thanks, Bob

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Friday, January 25, 2008 11:14 AM
To: 'Miller, Paul'
Subject: RE: Meaning of "RegistrationDate"

Thanks for the message. I'll be out most of the day so I'll respond in more detail this weekend.

The second point was that there are numerous cases where the registration date for a person was changed last year even though the person did not leave the county. This may have been caused by a revision to the person's registration information such as name change or change of address. However, over 800 changed to an earlier date. I will send examples.

Bob

From: Miller, Paul [mailto:PMiller@secstate.wa.gov]
Sent: Thursday, January 24, 2008 11:23 AM
To: Bob Edelman
Subject: RE: Meaning of "RegistrationDate"

Bob,

In reviewing my email for your public records request, I discovered I had not responded to this email that came in when I was on vacation. I had a huge list of emails to go through. I tried to respond to all that needed a response but obviously failed here.

I apologize for overlooking it.

As to your question. I am not sure what you mean in your second point since I expect the registration date to be typically the date the county first receives an application from a registrant.

- Paul

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Friday, January 04, 2008 1:26 AM
To: Miller, Paul
Subject: Meaning of "RegistrationDate"

Paul,

Please describe what the "RegistrationDate" entry in the VRDB signifies. I compared the Nov 2007 release to the Nov 2006 release and concluded that the entry is not any of the following:

1. Original date of registration in the state – there were 50,830 changes for the same state voter ID. 1125 of these were changed to an earlier date.
2. Original date of registration in a county – there were 21,161 changes with the same county. (882 of these changed to an earlier date.)

3. Change of registration name or address – there were 5477 changes with the same name and address. (697 of these changed to an earlier date.)

Thanks, Bob

APPENDIX E

STATE OF WASHINGTON
SECRETARY OF STATE

Mail-In Voter Registration Instructions

Voter Registration & Voting

Voter qualifications

To register to vote in the state of Washington, you must be:

- ✓ A citizen of the United States
- ✓ A legal resident of Washington state
- ✓ At least 18 years old by election day

If you have been convicted of a felony you must have your rights restored before you register to vote.

In the state of Washington, you do not have to register by political party or declare political party membership to vote in the state's regular primaries or general elections.

Registration deadlines

In order to vote in the next election, your Mail-In Voter Registration must be **postmarked** at least **30 days** before the next election. Otherwise, your registration will not take effect until after the upcoming election.

If you miss the 30-day deadline, you can still sign up in time for the election — but you must register in person at your county elections department no later than **15 days** before the election.

Change of residence

If you move to a **new county**, you must complete a new voter registration.

If you move within the **same county**, you do not need to re-register, but you must request a transfer of your registration. This can be done by using a mail-in voter registration form, or by calling or writing your county elections department.

NOTE: You must re-register or transfer your registration at least **30 days** before the election to be eligible to vote in your new precinct.

Keep your registration up-to-date!

If we do not have your current name or address, you may not be able to vote in the next election. Use the mail-in registration form to send your name or address change.

Voting by absentee ballot

Any registered voter may vote by absentee ballot. You do not need to be ill or "absent" to be an absentee voter.

You may request an absentee ballot as early as 10 days before an election. (No absentee ballots are issued on election day except to hospitalized voters). **The request for an absentee ballot must be made to your county auditor or elections department (not to the Secretary of State).**

One-time absentee ballot requests may be made either by

Using the Mail-In
Voter Registration FormCLICK
FORM
HERE

You can use the Mail-In Registration Form to:

- Sign up to vote in Washington state
- Update your registration if you move to a new address or change your name
- Apply to become a permanent absentee voter

This is a "fillable" form, which means you can use your computer's keyboard to type information in the requested fields as you view the form onscreen. Please note, however, that you must **print** the completed form and **sign** the hard copy document in the requested sections. Because original written signatures are required, forms may not be transmitted by e-mail.

Please complete all sections. Once you have printed and signed the completed form, place it in an envelope and mail it to:

OFFICE OF THE SECRETARY OF STATE
VOTER REGISTRATION BY MAIL
PO BOX 40230
OLYMPIA, WA 98504-0230

If you are qualified and the information on your form is complete, you will be mailed a voter registration card which will identify your voting precinct.

Important — See the "Registration Deadlines" and "Change of Residence" sections at left.

phone, fax or by mail. You may also sign up to automatically receive an absentee ballot before each election. Just check the "Yes" box in the Ongoing Absentee Voter Request section of the Mail-In Voter Registration Form.

NOTE: Absentee ballots must be signed and postmarked or delivered to the county election officer **on or before** election day.

Questions?

Information and assistance is available on the Secretary of State's Web site at www.secstate.wa.gov/voting or through the Secretary of State's toll-free Voter Information Hotline at 1-800-448-4881 (TDD 1-800-422-8583). You can find your County Auditor or County Elections Department under Government Listings in your telephone directory, or see the County Auditors List on the Secretary of State Web site.

Mail-In Voter Registration Form



To fill out this form, simply click in the boxes and type the requested information. Please complete all boxes (1-12). When you are finished, print the document and sign it in Boxes 9 and 11. Then place in an envelope and mail to:

Office of the Secretary of State
Voter Registration by Mail
PO Box 40230 • Olympia, WA 98504-0230

- ☒ A citizen of the United States of America
- ☒ A legal resident of the State of Washington
- ☒ At least 18 years old by election day

Need help? [Click Here](#) for our
Instructions & Assistance Page

*FORM MUST BE PRINTED AND SENT BY REGULAR MAIL. DO NOT E-MAIL.

WARNING: If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, or by a fine of up to ten thousand dollars, or both imprisonment and fine. (RCW 29.07.070)

1 Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No	2 Will you be 18 years of age on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No	For Official Use only
NOTE: If you checked "NO" in response to box 1 or 2 above, do not complete this form.		
3 Last Name: _____ First Name: _____ Middle Initial: _____ <input type="checkbox"/> Male <input type="checkbox"/> Female		
4 Address: Where You Live: _____ City or Town: _____ ZIP Code: _____		
5 Address: Where You Get Your Mail (If Different Than #4): _____ City or Town: _____ State: _____ ZIP Code: _____		
6 Date of Birth (Month/Day/Year): ____/____/____ 7 Daytime Phone Number (408 area code): (____) ____-____		
8 Federal Law requires you to provide your Driver's License number. If you do not have a Washington Driver's License, you must provide the last 4 digits of your Social Security Number. Failure to provide this information may prevent your registration from being processed.		
WA Driver's License #: _____ Last 4 Digits of Social Security #: _____		
ONGOING ABSENTEE REQUEST I would like to receive absentee ballots for all future elections: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> CHECK ONE		
Voter Declaration Read and Sign Boxes 9 and 11. I declare that the facts on this voter registration form are true: • I am a citizen of the United States. • I am not presently denied my civil rights as a result of being convicted of a felony. • I will have lived in Washington at this address for thirty days immediately before the next election at which I vote. • I will be at least eighteen years old when I vote. Date Signed: ____/____/____ SIGN HERE X		

10 Last Name: _____ First Name: _____ Initial: _____ SIGN HERE X	11 I am presently registered voter this county and/or address: Name: _____ Street: _____ City: _____ County: _____ State: _____ ZIP: _____ Please sign as presently registered: X
---	--

MOISTEN AND FOLD OVER TO SEAL

Mail-In Voter Registration Form



Washington
Secretary of State

Use Black or Blue Pen Only - Please Print Clearly ☐ NAME CHANGE ☐ ADDRESS CHANGE ☐ SIGNATURE UPDATE ☐ NEW REGISTRATION

1 NOTE: Voter registration requires U.S. Citizenship

FOR OFFICE USE ONLY

Will you be at least 18 years of age or older before Election Day? ☐ YES ☐ NO
Are you a citizen of the United States? ☐ YES ☐ NO

Federal and state law require you to provide your Washington Driver's License number or Washington ID Card number.
If you do not have a Washington Driver's License or Washington ID Card, provide the last four digits of your Social Security Number.

2 A. Washington Driver's License or ID Number B. Last four Digits/SSN ☐ Check here if you do not have a Washington Driver's License, ID Card, or SSN. 3 Date of Birth (MM/DD/YYYY)

4 Last Name ☐ Male ☐ Female Daytime Phone Number ()

5 First Name Middle Name ☐ Jr. ☐ II ☐ Sr. ☐ III Email Address (optional)

6 Washington Residential/Physical Address (Required) City or Town ZIP

7 Address Where You Get Your Mail (if different from residential/physical address) City or Town State ZIP

8 Check any that currently apply ☐ Military Domestic ☐ Military Foreign ☐ National Guard/Reserves ☐ U.S. Citizen Overseas

9 ONGOING ABSENTEE REQUEST NOTE: If your county is vote by mail, do not complete this section. A ballot will be mailed to you automatically.
I would like to receive absentee ballots for all future elections ☐ YES ☐ NO

FOLD HERE

10 NOTE: Previous registration information

I was previously registered under this name and address:

Name _____ Sign as previously registered

Address _____ County _____

City _____ State _____ ZIP _____

X

WARNING: If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration, you will have committed a class C felony that is punishable by imprisonment for up to five years, or by a fine of up to ten thousand dollars or both imprisonment and fine. (RCW 29A.08.210)

11 Voter Declaration

By signing this document, I hereby assert, under penalty of perjury, that I am legally eligible to vote. If I am found to have voted illegally, I may be prosecuted and/or fined for this illegal act. In addition, I hereby acknowledge that my name and last known address will be forwarded to the appropriate state and/or federal authorities if I am found to have voted illegally. (RCW 29A.08.210)

- I declare that the facts on this registration form are true;
 - I am a citizen of the United States;
 - I am not presently denied my civil rights as a result of being convicted of a felony;
 - I will have lived in Washington state at this address for thirty days immediately before the next election at which I vote;
 - I will be at least eighteen years old when I vote.
- (RCW 29A.08.230)

SIGN OR MARK IN THE BOX

X

12 If you are physically unable to sign your name, please have the person who assisted you in completing this form provide:

NAME

ADDRESS

DATE SIGNED / /
Month/Day/Year

MI 3/07

COUNTY _____



Postage
Required
Post Office will
not deliver
without proper
postage.

SECRETARY OF STATE
VOTER REGISTRATION BY MAIL
PO BOX 40230
OLYMPIA WA 98504-0230

**IMPORTANT!****TO REGISTER TO VOTE, YOU MUST BE:**

- ✓ A citizen of the United States of America
- ✓ A legal resident of Washington State
- ✓ At least 18 years old by Election Day

Mail-In Voter Registration Form

You may use this form to:

- Register to vote in Washington State
- Update your name or address information
- Request ongoing absentee ballots

Please complete all the information in boxes 1 through 11.
Once you have completed this form, fold, seal and mail.

If you have been convicted of a felony, you must have your rights restored before you register to vote.

Keep your registration up-to-date!

You may not be able to vote in the next election if your county elections department does not have your current name or address on file. Use this form to update your information.

Note: In order to vote in the next election, your Mail-In Voter Registration Form must be **postmarked** at least 30 days before the next election. If you miss this deadline, your registration will not take effect until after the upcoming election. If you are not currently registered to vote in Washington State, you may also register to vote in person at your county elections department up to 15 days before any election.

If you are registering to vote for the first time in Washington State, submitting this form by mail, and did not complete box 2A or 2B, you must provide a copy of:

- Current photo ID;
- Current utility bill;
- Bank statement;
- Government check;
- Paycheck; or
- Other government documentation showing your name and address.

Questions?

Contact your county elections department (under government listings in your telephone directory) or call the Secretary of State's toll-free Voter Information Hotline at 1-800-448-4881 (TTY/TDD 1-800-422-8683). Information and assistance is also available online at www.vote.wa.gov.

State Voter ID	18th Birthday	Voted	First Vote	Name	Address
WA000175378	07/14/00	02/29/00	02/29/00	APPERSON, MELISSA K	2400 N WILBUR RD APT 169, SPOKANE VALLEY
WA004060266	03/05/00	02/29/00	02/29/00	DRALLE, DANA L	1740 NE WHEATLAND DR APT D, PULLMAN
WA001213993	11/28/00	02/29/00	02/29/00	LUDLOW, JENNIFER M	10110 19TH AVE SE APT G202, EVERETT
WA002823130	01/12/01	02/29/00	02/29/00	PUNYON, BRYAN M S	4710 16TH AVE NE, SEATTLE
WA001647176	02/23/01	02/29/00	02/29/00	HITT-HAWS, DANIEL	9879 ENTERPRISE LN NW APT G-204, SILVERDALE
WA002479273	05/13/00	03/14/00	03/14/00	TAYLOR, REBECCA J	2008 NE 136TH AVE, VANCOUVER
WA003867514	08/21/00	04/25/00	04/25/00	SHAPIRO, KATHRYN A	3541 SARATOGA RD, LANGLEY
WA001647176	02/23/01	09/19/00	02/29/00	HITT-HAWS, DANIEL	9879 ENTERPRISE LN NW APT G-204, SILVERDALE
WA002181438	08/02/02	09/19/00	09/19/00	PITTMAN, SHANNON M	1616 WASHINGTON ST, MANSON
WA001647176	02/23/01	11/07/00	02/29/00	HITT-HAWS, DANIEL	9879 ENTERPRISE LN NW APT G-204, SILVERDALE
WA002181438	08/02/02	11/07/00	09/19/00	PITTMAN, SHANNON M	1616 WASHINGTON ST, MANSON
WA003954691	11/07/01	11/07/00	11/07/00	GUETTINGER, LOGAN J	901 S 6TH, DAYTON
WA001349228	11/27/00	11/07/00	11/07/00	HORNE, CLAYTON V	11832 38TH AVE NE APT 2, MARYSVILLE
WA003859988	12/21/00	11/07/00	11/07/00	MUSGRAVES, JOEL	655 N SUNRISE BLVD, CAMANO ISLAND
WA002310490	01/22/02	11/07/00	11/07/00	RICE, SHEENA LAUREN	728 NW 19TH AVE, CAMAS
WA000322734	12/05/00	11/07/00	11/07/00	SWAN, MATT	3820 E G ST, TACOMA
WA002656985	04/25/01	11/07/00	11/07/00	VIGO, ANGELA F	6633 FLORA AVE S, SEATTLE
WA001836674	09/27/01	11/07/00	11/07/00	BATES, DON	1105 E KIERNAN AVE, SPOKANE
WA002181438	08/02/02	05/15/01	09/19/00	PITTMAN, SHANNON M	1616 WASHINGTON ST, MANSON
WA000429939	10/30/01	05/15/01	05/15/01	JACKSON, LUKE S	3114 S 56TH ST, TACOMA
WA000429939	10/30/01	09/18/01	05/15/01	JACKSON, LUKE S	3114 S 56TH ST, TACOMA
WA003775700	12/27/01	11/06/01	11/06/01	SULLIVAN, MEGAN K	1810 NW LAMONT ST APT 7, PULLMAN
WA000173436	10/13/02	09/17/02	09/17/02	MILLER, MASON	9306 E BOONE AVE, SPOKANE VALLEY
WA003527095	12/19/02	11/05/02	11/05/02	WIEDMAIER, BRENT K	16519 NE 46TH ST, REDMOND
WA001777678	09/17/04	11/05/02	11/05/02	BRENT, NICOLE C	2300 E SUNSET DR, BELLINGHAM
WA001278610	01/29/03	11/05/02	11/05/02	THOMPSON, CHRISTOPHER R	824 12TH ST NE, EAST WENATCHEE
WA003883706	01/04/05	03/11/03	03/11/03	UNPINGCO, ELIZABETH	645 SW REGENCY DR, OAK HARBOR
WA003883706	01/04/05	05/20/03	03/11/03	UNPINGCO, ELIZABETH	645 SW REGENCY DR, OAK HARBOR
WA001777678	09/17/04	09/16/03	11/05/02	BRENT, NICOLE C	2300 E SUNSET DR, BELLINGHAM
WA000224442	06/06/04	11/04/03	11/04/03	MORGAN, MATTHEW S	1715 119TH ST CT NW, GIG HARBOR
WA002459426	03/10/04	03/09/04	03/09/04	LOPER, TIFFANY	2719 NE 145TH AVE, VANCOUVER
WA004130966	04/28/04	04/27/04	04/27/04	STOLEE, JESSICA R	4320 CEDARWOOD CT, MOUNT VERNON
WA000161881	05/24/04	05/18/04	05/18/04	MISLEY, CARLING M	14510 25TH AVE CT E, TACOMA

State Voter ID	18th Birthday	Voted	First Vote	Name	Address
WA000101461	07/25/04	05/18/04	05/18/04	SCHNEIDER, DAVID M	2909 40TH ST SE, PUYALLUP
WA004022299	06/27/04	05/18/04	05/18/04	WALL, RYAN S	855 OLSON RD, SEQUIM
WA003883706	01/04/05	09/14/04	03/11/03	UNPINGCO, ELIZABETH	645 SW REGENCY DR, OAK HARBOR
WA004252140	08/07/05	09/14/04	09/14/04	ANDERSON, AMANDA L	1108 WHEELER ST, HOQUIAM
WA002790105	10/14/04	09/14/04	09/14/04	ARVEY, SARAH A	3817 41ST AVE NE, SEATTLE
WA000972614	11/01/04	09/14/04	09/14/04	BEAM, MARY BETH	660 17TH AVE, LONGVIEW
WA000328146	10/26/04	09/14/04	09/14/04	BULL, KAMILAH E	7010 E HOMESTEAD AVE, TACOMA
WA002500914	09/20/04	09/14/04	09/14/04	BURDEN, KARA C	28601 NE REILLY RD, CAMAS
WA000973304	11/01/04	09/14/04	09/14/04	BYLASMA, LYDIA C	2911 HUNTINGTON PL, LONGVIEW
WA000233034	10/18/04	09/14/04	09/14/04	COLE, ERIN R	2717 MAC ALLISTER AVE NW, GIG HARBOR
WA002166492	10/02/04	09/14/04	09/14/04	CONNELL, CARLY J	1405 NE MERMAN DR APT SF378, PULLMAN
WA002166498	10/19/04	09/14/04	09/14/04	DABLING, NIKITA	1604 MARSHALL AVE, RICHLAND
WA000392789	10/26/04	09/14/04	09/14/04	DESUZE, JEANETTE A	8319 FOREST AVE SW, LAKEWOOD
WA003580709	09/26/04	09/14/04	09/14/04	DEWING, ASHLEY R	19010 131ST AVE SE, RENTON
WA002167973	10/23/04	09/14/04	09/14/04	DUNIGAN, THERESA	1612 JUDSON AVE, RICHLAND
WA001395229	09/24/04	09/14/04	09/14/04	DURBIN, SARAH C	7004 162ND ST NE, ARLINGTON
WA001358304	10/04/04	09/14/04	09/14/04	FLETCHER, DANIEL P	24105 87TH AVE W, EDMONDS
WA000478312	10/09/04	09/14/04	09/14/04	GOLD, MELISSA A	1704 116TH ST S, TACOMA
WA000278090	11/22/05	09/14/04	09/14/04	GRAHAM, MATTHEW A	1004 N CHRISTOPHER ST, MEDICAL LAKE
WA001125541	09/24/04	09/14/04	09/14/04	HAGEMAN, JUSTIN A	5817 192ND ST SE, SNOHOMISH
WA000895568	09/16/04	09/14/04	09/14/04	HALL, MERCEDE L	16114 B ST E, TACOMA
WA001434932	10/03/04	09/14/04	09/14/04	HARMON, BETHANY J	22323 213TH AVE SE, MONROE
WA001086369	10/08/04	09/14/04	09/14/04	HOOGERHYDE, ALICIA J	22416 1ST PL W, BOTHELL
WA002166565	09/28/04	09/14/04	09/14/04	LANDIN, IRENEA	2011 S RAINIER PL, KENNEWICK
WA001380136	10/31/04	09/14/04	09/14/04	LANDRY, BRITTANEY J	5724 146TH ST NE, MARYSVILLE
WA001123568	09/24/04	09/14/04	09/14/04	LARSON, MYLES H	305 203RD ST SE, BOTHELL
WA003037942	09/30/04	09/14/04	09/14/04	LEAHEY, PETER B	9852 MERCERWOOD DR, MERCER ISLAND
WA001083963	10/23/04	09/14/04	09/14/04	MC ELROY, CASEY J	102 234TH PL SE, BOTHELL
WA001496732	10/14/04	09/14/04	09/14/04	MCGEE, KATIE E	7011 129TH ST SE, SNOHOMISH
WA003581694	09/17/04	09/14/04	09/14/04	MCNABB, TASCH MATHEW	10929 SE 270TH ST, KENT
WA003605507	01/13/05	09/14/04	09/14/04	MILES, ERIK	4515 FAIRWOOD BLVD NE APT 533, TACOMA
WA001416110	10/12/04	09/14/04	09/14/04	MYHRE, STEVEN M	16001 234TH ST SE, MONROE
WA001241157	09/22/04	09/14/04	09/14/04	NAYLOR, JESSE B	5516 138TH PL SE, EVERETT

State Voter ID	18th Birthday	Voted	First Vote	Name	Address
WA002165584	09/16/04	09/14/04	09/14/04	QUESNELL, JACOB	35012 S 1018 P R SE, KENNEWICK
WA002165530	09/29/04	09/14/04	09/14/04	RUGGLES, MATT	604 S ZINSER ST, KENNEWICK
WA002167862	09/22/04	09/14/04	09/14/04	SHAEFFER, TAYLER	400 W CANYON LAKES DR, KENNEWICK
WA002165628	10/04/04	09/14/04	09/14/04	SHAFFER, JAMES	1007 SMITH AVE, RICHLAND
WA001266543	11/04/04	09/14/04	09/14/04	SHEPHARD, KRYSTA M	1912 2ND ST APT A, MARYSVILLE
WA003969303	10/03/04	09/14/04	09/14/04	SODERBERG, MR SCOTT	309 N H ST, SPRAGUE
WA000233869	10/07/04	09/14/04	09/14/04	STANTON, LEANNA P	111 RAFT ISLAND, GIG HARBOR
WA001312164	10/29/04	09/14/04	09/14/04	STEINBERG, ARRIKA J	4823 SPIRE LN, EVERETT
WA000859838	09/29/04	09/14/04	09/14/04	THURMAN, JONATHAN T	12912 134TH AVE, ANDERSON ISLAND
WA001012359	10/20/04	09/14/04	09/14/04	TOLLE, CHELSEA L	518 HANNA AVE, ABERDEEN
WA001198406	10/04/04	09/14/04	09/14/04	TONTY, DANIEL L	1133 CENTER RD, EVERETT
WA002882010	10/02/04	09/14/04	09/14/04	VOGEL, BRITTANY M	9622 12TH AVE NE, SEATTLE
WA001726879	09/20/04	09/14/04	09/14/04	WALKER, DANIEL J	1248 LATTIMORE RD, FERNDALE
WA000898856	09/26/04	09/14/04	09/14/04	WASHINGTON, KATELYN M	5013 N 29TH ST, TACOMA
WA001076863	09/28/04	09/14/04	09/14/04	ZIMMER, STEFANIE M	4419 241ST ST SE, BOTHELL
WA002166378	10/08/04	09/14/04	09/14/04	ZORICH, JACOB	2794 LA PIERRE CANYON DR, KENNEWICK
WA001491607	11/01/04	09/14/04	09/14/04	JESS, MORGAN L	914 235TH ST SW, BOTHELL
WA001012415	10/02/04	09/14/04	09/14/04	LLOYD, JESSICA V	1020 J ST, HOQUIAM
WA001385563	09/21/04	09/14/04	09/14/04	KING, ASHLEY R	8510 212TH ST NE APT 1224, ARLINGTON
WA003478890	09/22/04	09/14/04	09/14/04	LARSON, CASEY J	314 8TH AVE W, KIRKLAND
WA002166444	09/28/04	09/14/04	09/14/04	MESMER, KATY	4511 CANDY MOUNTAIN AVE, WEST RICHLAND
WA001098827	09/20/04	09/14/04	09/14/04	REESE, ALEX J	17124 44TH AVE W APT A204, LYNNWOOD
WA003883706	01/04/05	11/02/04	03/11/03	UNPINGCO, ELIZABETH	645 SW REGENCY DR, OAK HARBOR
WA004252140	08/07/05	11/02/04	09/14/04	ANDERSON, AMANDA L	1108 WHEELER ST, HOQUIAM
WA000278090	11/22/05	11/02/04	09/14/04	GRAHAM, MATTHEW A	1004 N CHRISTOPHER ST, MEDICAL LAKE
WA003605507	01/13/05	11/02/04	09/14/04	MILES, ERIK	4515 FAIRWOOD BLVD NE APT 533, TACOMA
WA001266543	11/04/04	11/02/04	09/14/04	SHEPHARD, KRYSTA M	1912 2ND ST APT A, MARYSVILLE
WA002909943	06/15/06	11/02/04	11/02/04	DUSTIN, HAYLEY L	503 W 11TH AVE, ELLENSBURG
WA001785295	04/20/06	11/02/04	11/02/04	LOGAN, VANITE N	2128 FRANKLIN ST, BELLINGHAM
WA003830564	12/09/04	11/02/04	11/02/04	MORIGEAU, MANDY M	963 W DELIGHT PARK RD, SHELTON
WA001414646	09/16/06	11/02/04	11/02/04	SIMPSON, CAMERON J	516 BELLEVUE AVE E APT 102, SEATTLE
WA003896839	11/16/04	11/02/04	11/02/04	SKILBECK, ZACH	1264 NW LANYARD LOOP 1, OAK HARBOR
WA002166865	01/21/05	11/02/04	11/02/04	SMITH, THOMAS	24901 N CROSBY RD, PROSSER

State Voter ID	18th Birthday	Voted	First Vote	Name	Address
WA000970088	01/27/05	11/02/04	11/02/04	WILSON, AMY R	114 STUDEBAKER PL, CASTLE ROCK
WA001148030	12/25/04	11/02/04	11/02/04	HAGLER, LINDSAY R	7927 191ST ST SW, EDMONDS
WA001782539	08/06/05	11/02/04	11/02/04	MARKHAM, ELIZABETH A J	2304 F ST, BELLINGHAM
WA000041162	12/14/04	11/02/04	11/02/04	PRINCE, ANTHONY A	1110 BOATMAN AVE NW, ORTING
WA002994132	08/09/05	11/02/04	11/02/04	TAUZIN, TIFFANY M	35412 25TH AVE SW, FEDERAL WAY
WA001288619	10/11/05	05/17/05	05/17/05	BENSON, LISA M	6721 69TH DR NE, MARYSVILLE
WA004215692	10/23/05	09/20/05	09/20/05	MCDEVITT, MEGHAN C	500 SE 6TH ST, NORTH BEND
WA002175011	10/24/05	09/20/05	09/20/05	ROBINSON, MEREDITH L	373 HIGGINSON HALL, BELLINGHAM
WA001362211	04/15/06	09/20/05	09/20/05	VEKVED, STEVEN R	3610 W 2ND ST, ANACORTES
WA000278090	11/22/05	11/08/05	09/14/04	GRAHAM, MATTHEW A	1004 N CHRISTOPHER ST, MEDICAL LAKE
WA001362211	04/15/06	11/08/05	09/20/05	VEKVED, STEVEN R	3610 W 2ND ST, ANACORTES
WA001362211	04/15/06	02/07/06	09/20/05	VEKVED, STEVEN R	3610 W 2ND ST, ANACORTES
WA000791207	04/10/07	02/07/06	02/07/06	HOOVER, MALLORY L	65 NW TERRE VIEW DR, PULLMAN
WA003007370	07/24/07	02/07/06	02/07/06	JONES, RACHEL	431 ORTON HALL, PULLMAN
WA000791207	04/10/07	09/19/06	02/07/06	HOOVER, MALLORY L	65 NW TERRE VIEW DR, PULLMAN
WA004938234	10/28/06	09/19/06	09/19/06	EVERETT, CHRISTIAN D	1615 S CUSHMAN AVE, TACOMA
WA004906060	10/26/06	09/19/06	09/19/06	HAMILTON, JACOB M	10206 260TH ST E, GRAHAM
WA004956658	10/27/06	09/19/06	09/19/06	JOHNSON, STACEY L	5731 141ST PL SE, EVERETT
WA004946362	11/07/06	09/19/06	09/19/06	MARGONELLI, MAIJA N	6757 2ND AVE NW, SEATTLE
WA004957225	10/29/06	09/19/06	09/19/06	RUBO, ASHLEY ANNE	4930 211TH ST SE, BOTHELL
WA000791207	04/10/07	11/07/06	02/07/06	HOOVER, MALLORY L	65 NW TERRE VIEW DR, PULLMAN
WA003007370	07/24/07	11/07/06	02/07/06	JONES, RACHEL	431 ORTON HALL, PULLMAN
WA005102970	11/13/06	11/07/06	11/07/06	HAYMOND, MELISSA M	17022 JERYL ANN PL, LYNNWOOD
WA005095616	12/05/06	11/07/06	11/07/06	SINGH, JAGDEEP	15514 32ND AVE NE, SHORELINE
WA007806272	03/30/08	02/19/08	02/19/08	BROWN, MARK L	7107 41ST AVE SE, LACEY
WA007867492	05/02/08	02/19/08	02/19/08	RUSSELL, ASHLEY KARA	1510 3RD ST, KIRKLAND
WA007893765	06/05/08	02/19/08	02/19/08	SUNDHEIM, JONAH I	2071 ONION CREEK RD, COLVILLE
WA007841125	05/23/08	02/19/08	02/19/08	VORDEREBRUEGGEN, JORDAN T	704 S CRESTVIEW DR, COLFAX

From: Miller, Paul [mailto:PMiller@secstate.wa.gov]
Sent: Tuesday, December 18, 2007 2:24 PM
To: Bob Edelman; Excell, Steve
Cc: Quach, Don; Kinnaird, Roxsan; Handy, Nick; Murphy, Patty; Motz, David; Hamlin, Shane
Subject: RE: Underage voters

Bob,

Thank you for bringing these records to our attention. Most of the voter history data in your "Underage Votes" spreadsheet clearly doesn't belong to the voter. The development team is investigating but probably that data came to the state system from the county database incorrectly as well.

For example, out of 892 records in your "Underage votes" spreadsheet, 558 belong to Pend Orielle, a tiny county with about 7,000 registered voters total. Every one of Pend Orielle's records show the voter voting before he/she was registered. In many cases, the records in the spreadsheet show individuals who registered when they were almost 18 but, according to the records, started voting at ten and voted up to seventeen times before they were registered. Unless Pend Oreille has been routinely bolstering their influence on state issues by allowing very young underage voters to vote before they are registered (yet nevertheless somehow crediting those illegal votes to an unregistered voter in the database), there is a systemic problem with the voting history data in PE.

The incorrect voter history will be referred to the counties, who hopefully can clean most of it up. The obvious data problems identified in the spreadsheet include:

- Voting dates that occur before the registration date. If these records came from the county system this way, it suggests that someone else's voting history might have been attached incorrectly to the voter's record at some past point in time. In the case of Pend Orielle, the systemic nature of the problem suggests this happened when they converted from one system to another, possibly changing the voter IDs for all their voters at the same time.
- Incorrect election dates. King County only stored month/year of the election date until recently. If the correct day of the month had been inserted in the election date, many of King's records would not have showed up in your search.
- Obvious data entry errors. The primary instance are records of voters who supposedly only turned 18 recently but were registered and voting in 1999 and earlier. Almost certainly, the birthdate is in error.

After removing these data errors from the file, there were around eighty records remaining spread out throughout the counties in the state. These records cover a period from 2000 to the present or a period of eight years and include the special spring elections. With further investigation, undoubtedly some of these records will be found to be the result of data entry errors as well. The overwhelming majority of voters from these records appear to have been less than a month from being eighteen when they were credited with voting in a fall primary election and were old enough to vote in the general election.

The standard practice and procedures of the counties in regards to "underage" voter registrations has varied from county to county - often according to the capabilities of the VR system the county used. Most counties simply put "underage" registrations into a drawer and didn't enter them until the voter was eligible. Mostly the larger counties - prior to the statewide system - used systems that warned the data entry person the voter was underage. Even fewer counties used systems that allowed them to pend the voter's record until eligible.

Even under today's practices with the statewide database, you will continue to see a number of "underage" registrations. That is because counties enter the date they received the application as the registration date. In other words, whether the county has either held up the registration form or pended the registration record until the voter is eligible, the registration date is still the date that the county received the application. The voter was not on the rolls when the ineligible election was active but the registration date will show up in your search as though they were.

As you can see, in the past, preventing an "underage" voter from being able to vote in an ineligible election usually depended upon an election worker correctly calculating the age of the voter each time. Even with all the possibilities of error, the fact that fewer than ninety *possible* "underage vote" records over the past eight years can be found is evidence that Washington's county election officials take their responsibilities to protect the integrity of the voter rolls seriously.

With the state voter registration database, our voter services group is now able to monitor underage registrations and alert the counties when it appears they have registered an underage voter. We expect with these new tools that the state registration performance in this area will improve from very good to stellar.

Again, thank you for bringing our attention to these discrepancies and giving us the opportunity to produce the most accurate information about our registration lists possible.

Paul Miller

Elections Technical Services Manager

Secretary of State

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Mon 12/17/2007 5:37 PM
To: Excell, Steve
Cc: Miller, Paul; Quach, Don
Subject: Underage voters

Steve,

State law has some ambiguities and inconsistencies regarding the age of a voter registration applicant. However, the statutes and regulations taken together appear to require that an application not be accepted unless the applicant will achieve the age of 18 before the next election. The phrase "next election" can be interpreted to mean the "next statewide election." There is no ambiguity regarding the age of a voter – he or she must be at least eighteen years of age when casting a vote.

I reviewed the December release of the VRDB and voting history for underage registration and voting. I have attached the following three files with data from the year 2000 and on.

1. Underage Registrations – 7,731 persons who did not achieve the age of 18 before the primary or general election following their registration date.
2. Underage Votes – 892 votes cast by persons before they were age 18.
3. Underage Voters – the 359 individuals who cast the votes in (2) above.

A small number of the registrations in (1) are false positives because of data entry errors. Some may be deliberately fraudulent.

Although underage registration and underage voting are both Class C felonies, I have no confidence that violations will be prosecuted. I believe the preferred approach is for the OSOS to implement safeguards in the VRDB. The preferred approach would be for all underage applications to be rejected. Another possible approach would be to place applications by persons under the age of eighteen on “pending” status until the applicants have reached voting age.

Thanks for your consideration.

Bob Edelman

From: Miller, Paul [mailto:PMiller@secstate.wa.gov]
Sent: Thursday, December 20, 2007 2:25 PM
To: Bob Edelman; Excell, Steve
Cc: Quach, Don; Kinnaird, Roxsan; Handy, Nick; Murphy, Patty; Motz, David; Hamlin, Shane; Blinn, Katie; Even, Jeff
Subject: RE: Underage voters

Bob,

Thank you for revising your list. This list correlates quite closely with what I found. Even after paring out the obvious data problems, I strongly suspect correcting data entry errors on birthdates and voter crediting would remove many records remaining on this list.

Regardless of procedures, mistakes are made. Our ability to safeguard against "underage" registration mistakes has been significantly improved with the statewide system:

- All the counties have upgraded to the more fully featured systems that only a handful of counties had previously.
- With the upgraded systems counties now are warned of underage registrations and can pend them until the voter is eligible.
- With the new statewide database, our office is now able to track and warn counties about underage registrations.

When I talked about putting "underage" registrations in a drawer until eligible, I think you'll see I was referring to the practice of some counties prior to the upgraded voter registration systems.

No county that I am aware of "backdates" registrations nor does the OSOS approve such a practice in order to "fool" the system. What I believe you are referring to is that county offices use the "original date of mailing or date of delivery, whichever is applicable" as the registration date in conformance with the RCW you cite below.

The original date of mailing, usually based upon the postmark on the envelope, is used as the correct registration date in conformance with state law. Mail-in registrations are first delivered to our office, and go through a sort in our office before they are sent on their way to the county office. Therefore, the postmark becomes especially important when a voter mailed his/her registration close to the cutoff date for an upcoming election.

If the registration is hand-delivered to a county elections office then the date of delivery is the correct registration date.

I have cc.ed Katie Blinn and Jeff Even who may provide fuller legal commentary on your discussion of the "registration date".

Hope this helps.

- Paul

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Wednesday, December 19, 2007 4:01 PM
To: Miller, Paul; Excell, Steve
Cc: Quach, Don; Kinnaird, Roxsan; Handy, Nick; Murphy, Patty; Motz, David; Hamlin, Shane
Subject: RE: Underage voters

Paul,

I redid the analysis of underage voters to ignore the database errors that you identified (file attached). I removed records with voting dates prior to registration dates, corrected the erroneous King County election dates, and removed records of persons who are shown to have registered before they were 16, assuming the latter to be probable database errors. This reduced the number of possible underage voters from 359 to 81 (87 underage votes by 81 persons), which seems to correlate to your results.

The following is an accounting by county of the (probable) erroneous database entries of registration date, birthdate, or both:

County	Bad Records
Benton	3
Chelan	4
Columbia	1
Cowlitz	1
Douglas	1
King	146
Pend Orielle	102
Pierce	4
Snohomish	6
Spokane	4
Thurston	1
Whatcom	2
Whitman	3

The following is the breakdown of underage votes by election year:

Election year	Underage Votes
2000	8
2001	2
2002	2
2003	2
2004	65
2005	1
2006	7

I don't believe that 87 illegal votes is a trivial matter nor are they justified because the voters were almost eighteen. Note that 65 of these illegal votes were in the presidential election year of 2004, probably because of high school voter registration drives. I expect even larger numbers in 2008 unless safeguards are put in place.

There are several issues regarding the integrity and meaning of "registration date":

- The practice by counties of delaying processing of registration applications until underage applicants are old enough is illegal. RCW 29A.08.651(7) requires: that "[a]ll voter registration information obtained by any local election officer in the state must be electronically entered into the computerized list [the statewide voter registration database] on an expedited basis at the time the information is provided to the local officer." County officers who violate this requirement might be subject to prosecution under RCW 29A.84.020 and/or RCW 29A.84.720.
- The only legal circumstances that I can identify for delaying activation of a registration is in RCW 29A.08.110 when an application is incomplete. In this situation, activation is delayed until the missing information is provided and the applicant then "shall be registered to vote as of the original date of mailing or date of delivery, whichever is applicable." Otherwise, if the application is complete, "the applicant is considered to be registered to vote as of the original date of mailing or date of delivery, whichever is applicable. The auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list." Delaying processing of complete registration applications would be a violation of this provision.
- An application for registration by an ineligible person should be rejected. County election officials certainly know the dates of upcoming elections and it would be a simple matter to have a not-later-than date of birth to compare against. It would also be a simple matter to include automated checks in the statewide system. The practice of holding an application or, for that matter, placing an application in a "pending" status until the applicant is old enough is not authorized by state law. (Carried to the extreme, the practice could lead to absurd results.)
- In prior correspondence, the OSOS has apparently accepted the practice of some counties to enter backdated dates for late registrations to "trick" the systems into accepting the registrations. I know of no legal justification for knowingly allowing entry of erroneous data in the statewide database.

I did not redo the analysis of illegal underage registrations since registration date entries are unreliable.

Thank you for your efforts to improve the system. I believe the VRDB has significantly improved over the past two years and look forward to continued progress.

Bob Edelman

From: Miller, Paul [mailto:PMiller@secstate.wa.gov]
Sent: Tuesday, December 18, 2007 2:24 PM
To: Bob Edelman; Excell, Steve
Cc: Quach, Don; Kinnaird, Roxsan; Handy, Nick; Murphy, Patty; Motz, David; Hamlin, Shane
Subject: RE: Underage voters

Bob,

Thank you for bringing these records to our attention. Most of the voter history data in your "Underage Votes" spreadsheet clearly doesn't belong to the voter. The development team is investigating but probably that data came to the state system from the county database incorrectly as well.

For example, out of 892 records in your "Underage votes" spreadsheet, 558 belong to Pend Orielle, a tiny county with about 7,000 registered voters total. Every one of Pend Orielle's records show the voter voting before he/she was registered. In many cases, the records in the spreadsheet show individuals who registered when they were almost 18 but, according to the records, started voting at ten and voted up to seventeen times before they were registered. Unless Pend Oreille has been routinely bolstering their influence on state issues by allowing very young underage voters to vote before they are registered (yet nevertheless somehow crediting those illegal votes to an unregistered voter in the database), there is a systemic problem with the voting history data in PE.

The incorrect voter history will be referred to the counties, who hopefully can clean most of it up. The obvious data problems identified in the spreadsheet include:

- Voting dates that occur before the registration date. If these records came from the county system this way, it suggests that someone else's voting history might have been attached incorrectly to the voter's record at some past point in time. In the case of Pend Orielle, the systemic nature of the problem suggests this happened when they converted from one system to another, possibly changing the voter IDs for all their voters at the same time.
- Incorrect election dates. King County only stored month/year of the election date until recently. If the correct day of the month had been inserted in the election date, many of King's records would not have showed up in your search.
- Obvious data entry errors. The primary instance are records of voters who supposedly only turned 18 recently but were registered and voting in 1999 and earlier. Almost certainly, the birthdate is in error.

After removing these data errors from the file, there were around eighty records remaining spread out throughout the counties in the state. These records cover a period from 2000 to the present or a period of eight years and include the special spring elections. With further investigation, undoubtedly some of these records will be found to be the result of data entry errors as well. The overwhelming majority of voters from these records appear to have been less than a month from being eighteen when they were credited with voting in a fall primary election and were old enough to vote in the general election.

The standard practice and procedures of the counties in regards to "underage" voter registrations has varied from county to county - often according to the capabilities of the VR system the county used. Most counties simply put "underage" registrations into a drawer and didn't enter them until the voter was eligible. Mostly the larger counties - prior to the statewide system - used systems that warned the data entry person the voter was underage. Even fewer counties used systems that allowed them to pend the voter's record until eligible.

Even under today's practices with the statewide database, you will continue to see a number of "underage" registrations. That is because counties enter the date they received the application as the registration date. In other words, whether the county has either held up the registration form or pended the registration record until the voter is eligible, the registration date is still the date that the county received the application. The voter was not on the rolls when the ineligible election was active but the registration date will show up in your search as though they were.

As you can see, in the past, preventing an "underage" voter from being able to vote in an ineligible election usually depended upon an election worker correctly calculating the age of the voter each time. Even with all the possibilities of error, the fact that fewer than ninety *possible* "underage vote" records over the past eight years can be found is evidence that Washington's county election officials take their responsibilities to protect the integrity of the voter rolls seriously.

With the state voter registration database, our voter services group is now able to monitor underage registrations and alert the counties when it appears they have registered an underage voter. We expect with these new tools that the state registration performance in this area will improve from very good to stellar.

Again, thank you for bringing our attention to these discrepancies and giving us the opportunity to produce the most accurate information about our registration lists possible.

Paul Miller

Elections Technical Services Manager

Secretary of State

From: Bob Edelman [mailto:BobEdelman@comcast.net]
Sent: Mon 12/17/2007 5:37 PM
To: Excell, Steve
Cc: Miller, Paul; Quach, Don
Subject: Underage voters

Steve,

State law has some ambiguities and inconsistencies regarding the age of a voter registration applicant. However, the statutes and regulations taken together appear to require that an application not be accepted unless the applicant will achieve the age of 18 before the next election. The phrase "next election" can be interpreted to mean the "next statewide election." There is no ambiguity regarding the age of a voter – he or she must be at least eighteen years of age when casting a vote.

I reviewed the December release of the VRDB and voting history for underage registration and voting. I have attached the following three files with data from the year 2000 and on.

1. Underage Registrations – 7,731 persons who did not achieve the age of 18 before the primary or general election following their registration date.
2. Underage Votes – 892 votes cast by persons before they were age 18.
3. Underage Voters – the 359 individuals who cast the votes in (2) above.

A small number of the registrations in (1) are false positives because of data entry errors. Some may be deliberately fraudulent.

Although underage registration and underage voting are both Class C felonies, I have no confidence that violations will be prosecuted. I believe the preferred approach is for the OSOS to implement safeguards in the VRDB. The preferred approach would be for all underage applications to be rejected. Another possible approach would be to place applications by persons under the age of eighteen on "pending" status until the applicants have reached voting age.

Thanks for your consideration.

Bob Edelman

e. Requirements for voters who register by mail

The state will consult with experts on disability issues regarding the accessibility of mail-in registration forms. The State Elections Division is currently matching data on mail-in registration forms against the Department of Licensing database. The State, in cooperation with County Auditors, will develop practices and policies to fully comply with the requirements for first time voters who register by mail. The state may, based on the availability of funds, use requirements payments to implement these practices and policies. The state will consult with experts on disability issues regarding the accessibility of mail-in registration forms.

The state may, based on the availability of funds, use requirements payments to produce mail-in voter registration forms that contain the two newly-required questions: *Will you be at least 18 years old at the time of the next election?* and, *Are you a citizen of the United States of America?* The forms will also be altered so that applicants can record their driver's license number and/or the last four digits of their social security number. See Appendix E for a PDF version of the form that is available on the Secretary of State's website.

3. How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1) including a description of—(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payments; and (B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8). (Sec. 254, (a)(2))

The Secretary of State will manage activities and projects funded by the HAVA requirements payments, and the state will account for all expenditures, funding levels, program controls and outcomes in accordance with state and federal laws.

To comply with disability access requirements, the state will provide funds to counties via a formula based on a number of variable factors such as the number of poll sites, projected distribution of disabled and senior populations, and total number of registered voters. The formula determines a payment for each county to purchase the required DRE systems. This amount represents the maximum contribution that the state will provide for purchasing any county DRE system. The state will forward the federal money directly to contracted vendors on behalf of each county. This will occur after a contract has been signed by the county with a vendor for a qualifying replacement system and an inter-local agreement has been signed between the county and the Secretary of State guaranteeing compliance with HAVA.

The Secretary of State will establish a local government grant program to assist County Auditors in complying with HAVA requirements. After initial state compliance with HAVA requirements, a portion of the requirements payments authorized in Title II will be allocated for local government grants. The Secretary of State will administer the grant program and will be responsible for meeting federal auditing requirements. The